



Dkt. 6543/77335/JPW/AGC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David L. Rimm et al.

Serial No. : 10/062,308

Examiner: Jerry Lin

Filed : February 1, 2002

Group Art Unit: 1631

For : SYSTEMS AND METHODS FOR AUTOMATED ANALYSIS OF
CELLS AND TISSUES

1185 Avenue of the Americas
New York, NY 10036
March 26, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**COMMUNICATION PROVIDING COMMENTS ON STATEMENT OF
REASONS FOR ALLOWANCE**

This Communication is submitted in response to the Statement of Reasons for Allowance set forth in the Notice of Allowability issued March 1, 2007 by the United States Patent and Trademark Office in connection with the above-identified application.

In the Statement of Reasons for Allowance, the Examiner stated that "[A]lthough the prior art does teach triple staining tissue, the prior art does not fairly teach reiteratively analyzing the first and second strain [sic] intensity in each of the pixel locations assigned to each of the first and second subcellular compartment and reassigning each pixel location based on a weighted ratio of the first strain [sic] intensity relative to the second strain [sic] intensity to reach 95% degree of accuracy in the assignment of the pixel location in images of tissue."

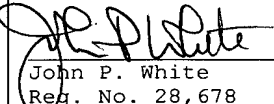
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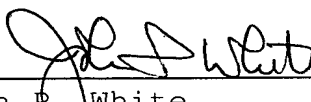
In response, Applicants note that the Examiner's assertion is incorrect and that the prior art does not teach numerous features recited in the allowed claims in addition to those noted by the Examiner, including triple staining of subcellular compartments within a tissue sample.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicant's undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee, other than the enclosed \$1,000.00 fee for the combined publication and issue fees, is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
 John P. White Reg. No. 28,678	3/26/07 Date


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